

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

SHANNON O. MURPHY, SR.,

Plaintiff,

v.

OAKLAND UNIFIED SCHOOL  
DISTRICT,

Defendant.

No. 2:24-cv-02588 DJC AC

ORDER

Plaintiff, who is proceeding in pro se, has filed an application to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. ECF No. 2.

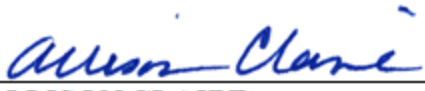
The federal venue statute provides that a civil action “may be brought in (1) a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located, (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated, or (3) if there is no district in which an action may otherwise be brought as provided in this action, any judicial district in which any defendant is subject to the court’s personal jurisdiction with respect to such action.” 28 U.S.C. § 1391(b).

In this case, the claims arose in Alameda County, California, which is in the Northern District of California. ECF No. 1 at 2. The plaintiff is from Contra Costa County, California, and

1 defendant is from Alameda County. ECF No. 1-1. Both are located within the Northern District  
2 of California. Therefore, plaintiff's case should have been filed in the United States District  
3 Court for the Northern District of California. In the interest of justice, a federal court may  
4 transfer a complaint filed in the wrong district to the correct district. See 28 U.S.C. § 1406(a);  
5 Starnes v. McGuire, 512 F.2d 918, 932 (D.C. Cir. 1974).

6 Accordingly, IT IS HEREBY ORDERED that this matter is transferred to the United  
7 States District Court for the Northern District of California.

8 DATED: September 26, 2024

9   
10 ALLISON CLAIRE  
11 UNITED STATES MAGISTRATE JUDGE  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28